



# **Constitution of the Green Party of Aotearoa New Zealand**

4 June 2012

Revised at AGM 2016

Revised at AGM 2019

# **CONSTITUTION AND RULES OF THE GREENS, THE GREEN PARTY OF AOTEAROA NEW ZEALAND INCORPORATED**

## **1 NAME**

The name of the society shall be The Greens, The Green Party of Aotearoa New Zealand Incorporated (commonly known as The Greens and in these rules called the Party).

## **2 REGISTERED OFFICE**

The registered office shall be at Level 1, 15-20 Cambridge Terrace, Wellington or such other office as the Executive may from time to time decide.

## **3 OBJECTS**

3.1 The objects of the Party as described in the Green Party Charter are:

3.1.1 To promote the fact that the basis of ecological wisdom is that human beings are a part of the natural world and this world is finite, therefore unlimited material growth is impossible; ecological sustainability is paramount;

3.1.2 To acknowledge that unlimited material growth is impossible, therefore the key to social responsibility is the just distribution of social and natural resources both locally and globally;

3.1.3 To implement the principles of ecological wisdom and social responsibility, decisions will be made directly at the appropriate level by those affected;

3.1.4 To engage in nonviolent conflict resolution as the process by which ecological wisdom, social responsibility, and appropriate decision making will be implemented. This principle applies at all levels; and

3.1.5 To honour Te Tiriti o Waitangi.

3.2 To maintain registration as a political party with the Electoral Commission under the Electoral Act 1993 with the name The Greens, The Green Party of Aotearoa/New Zealand Incorporated whose constitution shall be this document (hereafter referred to as the rules).

3.3 To do all such things political or otherwise as are incidental or conducive to the attainment of any of the above objects.

## **4 MEMBERSHIP**

4.1 Membership of the Party shall be open to any person who accepts and abides by the rules of the Party and is not a member of any other political party except a Green Party abroad. This requirement may be waived at the discretion of the Green Party Executive.

- 4.2 Membership of the party shall commence when the membership application, on the membership form adopted by the Executive, is accepted and processed at the registered office of the Green Party. Membership shall be of the smallest appropriate group and all members shall belong at provincial and national level.
- 4.3 A register of group members shall be maintained at the registered office, which shall contain the names and addresses of current financial members. Provinces and groups will be entitled to the lists of their own members.
- 4.4 Membership of the Party shall entitle members to vote on the business of the Party at group or electorate level and to be delegates to provincial meetings. Only members of the Green Party paid-up for the current subscription year may be eligible to:
- i Nominate candidates for office or hold office at any level of the party
  - ii Elect or be a voting delegate to a General Meeting of the party
  - iii Nominate or stand as candidates for the Green Party
  - iv Vote in the ordering of the Green Party List for General Elections.
- 4.5 A person shall cease to be a member:
- 4.5.1 When their written or verbal resignation is received by the Executive either directly or through the Membership Secretary;
  - 4.5.2 When the person ceases to accept or abide by the rules of the Party as determined by the Executive;
  - 4.5.3 When the person dies;
  - 4.5.4 When the person has not paid their annual Green Party membership subscription for a period of more than three calendar months since it fell due; or
  - 4.5.5 If and when the person joins another New Zealand political party.
- 4.6 The Party shall facilitate regular Te Tiriti o Waitangi education for members, delivered at national conferences and at province or branch level as an integral aspect of party development.

## **5 SUBSCRIPTIONS & LEVIES**

- 5.1 The subscription for membership of the Party shall be paid to the National Office of the Green Party and receipted by them.
- 5.2 The annual subscription shall be set by the Annual General Meeting and shall run for a period based on a membership year system determined by the National Executive.
- 5.3 The National Office shall keep the levy from each member, as set by the Executive.

## **6 GROUPS**

- 6.1 The group is the basic organisational unit of the Party. A group is a collection of persons which has sufficient sense of identity and community to be able to work together to achieve the aims of the Charter. Groups can be Branches with an electorate-based geographical area of responsibility, or be identity or interest-based Networks across the country
- 6.2 The minimum number for a group shall be five members. Party members will belong to their local Branch, and may also belong to one or more Networks.
- 6.3 Groups shall keep their provinces and the National Office informed of their existence, contact details, and names, and the names and account numbers of their bank accounts with Branches also informing their Provinces, and Networks also informing an Executive member appointed as 'Network Liaison'. No bank account shall be operated in the name of the Green Party without the written authorisation of the Executive. No bank account shall have overdraft facilities unless authorised in writing by the Executive.
- 6.4 The internal organisation of the group is the responsibility of the group membership provided always that the highest authority in the group shall be the group membership in a duly constituted meeting.
- 6.5 Group funds will be all money received by a group.
- 6.6 In entering any contract, undertaking any legal proceedings, or taking any other action, groups shall not hold themselves out or represent themselves as acting with the authority of the Party without the written authorisation of the Executive.

## **7 PROVINCES**

- 7.1 A Province is a collection of groups which has sufficient sense of identity to be able to work together to achieve the aims of the Charter. Where possible, these Provinces shall be defined by local members depending on local interests and natural geographical boundaries.
- 7.2 The main function of the Province shall be:
  - 7.2.1 The co-ordination of the Province's groups; and
  - 7.2.2 To elect Executive Networkers and Policy Networkers and other positions as required.
- 7.3 Any aggregation of groups for the purpose of provincial organisation must be approved by the Executive and ratified by Conference before it takes effect for the purposes of these rules. In the case of an unresolved dispute as to which areas should be in which Province the matter shall be determined by the Convenors of the Party.
- 7.4 All branches must form part of a provincial organisation.
- 7.5 The internal organisation of the Party at the provincial level shall be the responsibility of the groups which constitute the Province, provided that each Province shall have at least the following officeholders: a Provincial Convenor; an Executive Networker; a Provincial Treasurer; and a Policy Networker.
- 7.6 Except in unusual cases, the smallest Province shall include a population equivalent to at least three electorates.

- 7.7 Provinces comprising fewer than twelve electorates may appoint one member to the Party Executive and one member to the Policy Committee
- 7.8 Provinces comprising twelve or more electorates may appoint two members to the Party Executive and two members to the Policy Committee
- 7.9 When a Province appoints members to Petal committees, the Party expects it to ensure gender balance in its appointments.

## **8 ANNUAL CONFERENCE AND GENERAL MEETINGS**

- 8.1 The Annual Green Conference (hereafter Conference) shall be considered the supreme body and set the political direction of the organisation.
- 8.2 The Conference shall include the Annual General Meeting of the membership and shall be held within six months of the end of the financial year and shall be held at such time and place, which may include places linked together by real-time communication technology (e.g. secure video/audio conferencing), as may be designated by the Executive.
- 8.3 The time and place of the Conference shall be notified to all groups not less than two calendar months prior to such meeting being held.
- 8.4 The Annual General Meeting will:
  - 8.4.1 Elect officers as provided for by these rules;
  - 8.4.2 Receive the financial accounts of the Party for the previous financial year; and
  - 8.4.3 Provide a forum for the consideration of remits not inconsistent with Standing Orders or these rules.
- 8.5 A Special General Meeting (SGM) at which Standing Orders shall apply may be called by Executive or by a majority of Provinces in agreement.
- 8.6 The times, places, methods and purposes of any SGM shall be notified to all groups at least one week before such a meeting. Only matters notified in the agenda shall be considered at the SGM.
- 8.7 A quorum shall be half of those entitled to vote booked into any Conference or Special General Meeting on that day provided that at least 50 per cent of the eligible electorates are represented by at least one delegate.
- 8.8
  - a The following number of delegates shall represent each electorate:
    - i electorates having 19 or fewer members shall have one delegate;
    - ii electorates having 20 to 99 members shall have two delegates;
    - iii electorates having 100 to 199 members shall have three delegates;
    - iv electorates having 200 or more members or more shall have four delegates.
  - b Every delegate is eligible to vote.
  - c “Member” for the purposes of section 8.8 means a current financial member.
  - d A delegate must also be a current financial member.
  - e There will be a strong emphasis on gender balance in the selection of delegates.
  - f Representation by proxy shall be permitted.

- 8.9 Conference and Special General Meetings shall be open to all current financial members who have paid the appropriate registration fee.
- 8.10 Conference and Special General Meetings shall except where they decide otherwise also be open to the public and the media as non-participating observers.
- 8.11 The business and procedures of Conference and Special General Meetings shall be governed by Standing Orders which shall include procedures for decision making.

## **9 EXECUTIVE**

- 9.1 The Executive shall be considered the Party's administrative body, responsible for the day to day overall administration of the Party, instructed by and answerable to the membership, Provinces and Conference. Executive will act in a manner consistent with these rules and with the will of the Party as expressed through Conference and Special General Meetings and any agreement between Caucus and Executive.
- 9.2 The Executive shall consist of:
  - 9.2.1 Two Party Convenors (one male, one female); two Policy Co-Convenors (one male, one female); and two Leaders (one male, one female) elected by General Meeting;
  - 9.2.2 General Secretary; Membership Secretary; International Secretary; Treasurer; and the Standing Orders Convenor all of whom shall be appointed by Executive;
  - 9.2.3 Executive Networkers elected by Provinces in accordance with 7.7, who shall be the voting members of Executive;
  - 9.2.4 One representative elected by Te Roopu Pounamu who shall be a voting member of Executive;
  - 9.2.5 One representative from the Inclusive Greens network, who is elected by the Inclusive Greens' network.
  - 9.2.6 One Executive representative on Caucus and one Caucus representative on the Executive, who shall be agreed between Caucus and Executive;
  - 9.2.7 Green Party representatives on other bodies as may be determined by the Executive from time to time;
  - 9.2.8 Any other Executive positions created by Executive; and
  - 9.2.9 Executive may co-opt people from outside Executive. Such co-opted persons shall have a time limit placed on their term of service at the time of appointment.
- 9.3 Removal and Replacement of Executive
  - 9.3.1 A Party Co-Convenor may be removed from that position by a 75% vote of the Executive in which case the position shall be filled by postal ballot of all electorates.
  - 9.3.2 Executive may remove people from Executive positions on an interim basis until the next Conference provided 75% of the Executive members agree to do so.
  - 9.3.3 Any vacancy on Executive may be called by Executive calling for nominations from Provinces.

- 9.3.4 Executive may determine whether any position elected by Conference that becomes vacant shall be filled by:
- 9.3.4.1 Postal ballot of all electorate groups;
  - 9.3.4.2 A Special General Meeting; or
  - 9.3.4.3 The next highest polling candidate of appropriate gender at the previous election.
- 9.4 The Executive shall subject to the direction of the Party in Conference and Special General Meetings be the administrative body in all matters connected with the affairs of the Party excluding policy, and shall pursue the objects and protect the interests of the Party and without limiting the scope of its powers shall have authority to:
- 9.4.1 Borrow or raise money from time to time with or without security and upon such terms as to priority or otherwise as the Executive thinks fit;
  - 9.4.2 Exercise any other lawful powers not inconsistent with these rules or the decisions of conference as made from time to time; and
  - 9.4.3 Appoint such working groups from the membership as it considers necessary for the efficient administration of the Party's affairs.
    - 9.4.3.1 In doing so it may delegate any of its powers and duties to any such committee or to any person. The committee or person may without confirmation by the Executive exercise or perform the delegated powers or duties in the same way and with the same effect as the Executive could itself have done.
    - 9.4.3.2 Any committee or person to whom the Party has delegated powers or duties will be bound by the rules of the Party and any terms or conditions of the delegation set by the Executive;
    - 9.4.3.3 The Party will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Executive.
- 9.5 Job descriptions for all Party offices (which must include guidelines and objectives) shall be provided by the Executive and adopted by either Executive or Conference.
- 9.6 The Executive shall meet:
- i whenever it is scheduled by the Executive; or
  - ii whenever a minimum of three Executive Networkers agree to call an Executive meeting in which case the meeting will be held within 30 days of its being called.
  - iii notice of Executive meetings and telephone conferences shall be given to all Executive members.
- 9.7 Members of the Executive shall act in the interests of the Party as a whole rather than simply as representatives of their Provinces.

- 9.8 Any Green Party member may normally attend a face-to-face Executive meeting. Speaking rights may be granted at the discretion of Executive. The Executive may declare a meeting closed to all persons other than Executive members where to do otherwise would put at risk the privacy of an individual or seriously prejudice the interests of the Green Party.
- 9.9 The quorum for Executive shall consist of one Party Co-Convenor and Executive Networker representatives from 75% of the Provinces.
- 9.10 No member shall occupy simultaneously more than one of the following positions: Co-Leader, Party Co-Convenor, Executive Networker, General Secretary, or Policy Co-Convenor on the Executive.

## 10 CANDIDATE SELECTION FOR PUBLIC OFFICE

- 10.1 Procedures for the selection and approval of candidates for public office including the ordering of the Party List shall be determined by the Executive.
- 10.2 Approved Party candidates for any public office must sign and agree to abide by a contract made between themselves and the Executive on the agreed basis by which they go forward as candidates.
- 10.3 This agreement shall contain (but without limiting the terms of the agreements):
- 10.3.1 Agreement to uphold and abide by the rules of the Party;
  - 10.3.2 Agreement to promote and abide by the ratified policy of the Party subject to 10.3.3;
  - 10.3.3 The opportunity to state specific objections to ratified policy which candidates cannot in good conscience support;
  - 10.3.4 Recognition of the Party's principle of annual contributions by requiring:
    - a prospective MPs to agree to pay an annual contribution to the Party in accordance with the Party-Caucus Agreement. That contribution shall be:
      - i at least 10% of the **gross** salary (excluding allowances) earned from serving in the role of MP ("MP Base Salary"); and
      - ii where MPs are appointed to a parliamentary role that entitles them to additional income above and beyond the MP Base Salary, such higher percentage of that additional **gross** income (excluding allowances) as shall be specified in the Party-Caucus Agreement;
- 10.4 Candidate selection committees will ensure strict conflict of interest policies are established and complied with for the candidate selection processes, to ensure neither selection panel members nor prospective candidates improperly influence the selection process.

## 11 POLICY

- 11.1 The Policy Committee shall be the Party's policy-making body, responsible for the development and ratification of Party policy and policy processes.



- 11.2 The Policy Committee shall consist of:
  - 11.2.1 The Policy Co-Convenors;
  - 11.2.2 The Party Co-Leaders;
  - 11.2.3 One representative from Caucus appointed by Caucus;
  - 11.2.4 One representative from the Party Executive appointed by the Party Executive;
  - 11.2.5 One representative from Te Rōpū Pounamu appointed by Te Rōpū Pounamu;
  - 11.2.6 One Policy Networker from each Province comprising eleven or fewer electorates;
  - 11.2.7 Two Policy Networkers from each Province comprising twelve or more electorates;
  - 11.2.8 The Convenor, or one of the two Co-convenors, of any subcommittee of the Policy Committee whom Policy Committee decides to appoint to the Policy Committee; and
  - 11.2.9 Such other persons as the Policy Committee may appoint as members.
- 11.3. Policy Networkers and the representative of Te Rōpū Pounamu shall be the voting members of the Policy Committee
- 11.4 The Policy Committee may appoint such working groups from the membership as it considers necessary for the efficient administration of the Party's affairs.
  - 11.4.1 In doing so it may delegate any of its powers and duties to any such committee or to any person. The committee or person may without confirmation by the Policy Committee exercise or perform the delegated powers or duties in the same way and with the same effect as the Policy Committee could itself have done.
  - 11.4.2 Any committee or person to whom the Policy Committee has delegated powers or duties will be bound by the rules of the Party and any terms or conditions of the delegation set by the Policy Committee.
  - 11.4.3 The Policy Committee will be able to revoke such delegation at will, and no such delegation will prevent the exercise of any power or the performance of any duty by the Policy Committee.
- 11.5 The Policy Committee will act in a manner consistent with these rules and with the will of the Party, as expressed through Conference and Special General Meetings and any agreement with Caucus and/or Executive.

## **12 CAUCUS**

- 12.1 The role of Caucus is to organise and co-ordinate the Green Party's parliamentary activities. The Caucus shall exist for the period that the Green Party has members of New Zealand's Parliament.
- 12.2 The Caucus shall comprise:
  - 12.2.1 The Co-Leaders;
  - 12.2.2 All persons elected as Green Members of Parliament;

- 12.2.3 Any representative of the national Policy Committee or the Executive appointed by those bodies and agreed by Caucus;
- 12.2.4 A representative appointed by Te Rōpū Pounamu; and
- 12.2.5 Such other persons as the Caucus may appoint as members or as are provided for in these rules.
- 12.3 The Caucus shall make such rules for its conduct as it sees fit in accordance with the objects of the Green Party.
- 12.4 Co-Leaders and MPs shall be the voting members of Caucus.
- 12.5 A representative appointed by Te Rōpū Pounamu
- 12.6 Any Green Party member may normally attend a Caucus meeting subject to the rules contained in the Party Caucus Agreement.

### **13 FINANCE**

- 13.1 The Treasurer shall act at the direction of the Executive. At the first meeting of the Executive following each Annual General Meeting, the Executive will decide by resolution the following:
  - 13.1.1 How money will be received by the Party;
  - 13.1.2 Who will be entitled to produce receipts;
  - 13.1.3 How expenditure commitments will be budgeted for by the Party;
  - 13.1.4 What bank accounts will operate for the ensuing year, including the purposes of and access to accounts;
  - 13.1.5 Who will be allowed to authorise the production of cheques and the names of cheque signatories;
  - 13.1.6 Who will be allowed to authorise the ordering of goods and services;
  - 13.1.7 Policy concerning the investment of money by the Party, including what type of investment will be permitted; and
  - 13.1.8 The type and frequency of financial reporting required during the year.
- 13.2 The Executive may invest surplus funds as it sees fit provided that the investment does not conflict with the Party's objects.
- 13.3 A Treasurer's report must be prepared and all books and records so kept must be completed up to date for presentation at the Annual General Meeting, according to the requirements of the Incorporated Societies Act 1908.
- 13.4 The Financial Year of the Green Party commences on the 1st of April and ends on the 31st of March.

### **14 CONSENSUS DECISION MAKING**

- 14.1 All decisions by: any Group, Electorate, or Province; General Meeting; Executive; Caucus; Executive Working Group or any other body overseen by the Green Party shall be made by consensus. This means by the agreement of most participants, with dissenters and abstainers agreeing to recognise the majority opinion as being the decision.

- 14.2 If consensus on a motion is not achieved after reasonable attempts, a vote can be taken. A motion shall be carried with a 75% majority of the votes cast. Those who do not agree with the decision may have their objections included in any minutes recorded.

## **15 CO-ORDINATION**

- 15.1 The Leaders, Party Co-Convenors, and Policy Co-Convenors are jointly responsible for ensuring effective co-ordination and communication between the Executive, Policy Committee, and Caucus.
- 15.2 Within three months of each General Meeting, the Co-Leaders, Party Co-Convenors and Policy Co-Convenors shall report to the membership on the steps they have taken to fulfill their responsibilities under clause 15.1.

## **16 COMMON SEAL**

The Party shall adopt a common seal which shall be in the custody of the Executive or such person as it shall appoint. The Seal shall be affixed in the presence of two members of the Executive or one member of the Executive and one other person appointed by the Executive for the purpose.

## **17 INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO OBJECTS**

- 17.1 Any income, benefit or advantage will be applied to the objects of the Party.
- 17.2 No member of the Party or any person associated with a member shall participate in or materially influence any decision made by the Party in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever. Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).
- 17.3 The provision and effect of Section 17 shall not be removed from these rules and shall be implied into any document replacing these rules.

## **18 ALTERATIONS OF RULES AND STANDING ORDERS**

- 18.1 The rules and Standing Orders shall not be amended, altered, or rescinded except at Conference or a Special General Meeting of the Party and by a resolution passed by a majority of not less than three fourths of the persons present and entitled to vote.
- 18.2 The Executive shall give notice to all groups of the proposed alteration, addition or rescission not less than thirty days prior to the Conference or Special General Meeting of the Party at which it is proposed to be moved.
- 18.3 No alteration to the pecuniary benefit clauses (Section 17), the objects clauses (Section 3) or the dissolution clauses (Section 19) shall be made without the prior written approval of Inland Revenue Department.

## **19 DISSOLUTION**

- 19.1 A majority of the members entitled to vote at a Special General Meeting of the Party may resolve that the Party be dissolved as from the date to be named in the resolution, and may also in such resolution direct the method of disposing of the assets and property of the Party after its dissolution.
- 19.2 Upon the resolution being confirmed at a subsequent Special General Meeting called for the purpose and held not earlier than thirty days after the date on which the first resolution was passed, the Party shall be dissolved.
- 19.3 A notice of the resolution and its confirmation shall be sent to the Registrar of Incorporated Societies.
- 19.4 The property of the Party shall upon dissolution be transferred to such political parties or societies having objects similar to those of the party within New Zealand as the meeting shall determine or in default as may be determined by the High Court of New Zealand on the application of the Party.